REMARKS

This paper is filed in response to the Office Action mailed June 23, 2008 that made restriction and election of species requirements. Applicants were requested to elect one of the following groups:

Group I – claims 1, 2, 15-17, 19 and 20 directed to polypeptides/carbohydrate-binding modules;

Group II – claims 3-13 directed to polynucleotides, vectors, and host cells;

Group III – claim 14 directed to a method of producing a polypeptide; and

Group IV – methods for degrading cellulose-containing biomass.

Applicants also were requested to an enzyme or combination of enzymes recited in claim 17 if Group is elected and a probe recited in claim 5 and a type of library recited in claim 6 if Group II is elected.

The restriction and election of species requirements are respectfully traversed.

The above-captioned application was entered into the national stage under 35 U.S.C. 371, i.e. filed via the PCT. For these types of applications, the PTO follows the rules set forth in 37 C.F.R. 1.401 - 1.499.

The standard for determining whether unity of invention exists during the national stage, i.e. whether a restriction requirement may be imposed, is set forth in 37 C.F.R. 1.475(a) which provides:

> An international and a national stage application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept.... Where a group of inventions is claimed in an application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression 'special technical features' shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

Moreover, under 37 C.F.R. 1.475(b), an international or a national stage application in the national stage complies with the unity of invention requirement if the claims are drawn only to one of the following combinations of categories:

> (1) A product and a process specially adapted for the manufacture of said product; or
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> (2) A product and a process of use of said product; or

(3) A product, a process specially adapted for the manufacture of the said product, and a use of the said product; or

(4) A process and an apparatus or means specifically designed for carrying out the said process; or

(5) A product, a process specially adapted for the manufacture of the said product, and an apparatus or means specially designed for carrying out the said process.

In the present case, the inventions designated I-IV are related as product, process for the manufacture of the product, and use of the product.

Under the standards set forth above, these classes of inventions comply with the unity of invention standard.

Significantly, no objection to unity of invention was raised at any point of the PCT prosecution.

Applicants, therefore, respectfully submit that the restriction requirement is improper, and request reconsideration and withdrawal of the restriction requirement.

In order to be fully responsive, Applicants hereby elect the invention of Group I and cellulases as the species of enzyme recited in claim 17. Claims 29-47 read thereon. Applicants hereby reserve the right to file divisional applications directed to the nonelected subject matter.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

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